

SENATE JOINT RESOLUTION 716

By Ketron

A RESOLUTION for the purpose of petitioning the Congress of the United States to adopt an amendment to the Constitution of the United States, for submission to the states, to require, with certain exceptions, that the federal budget be balanced; or, in the alternative, to call a convention for the sole and exclusive purpose of proposing such an amendment for submission to the states for ratification.

WHEREAS, with each passing year this nation becomes deeply in debt as its expenditures grossly and repeatedly exceed available revenues so that the public debt now exceeds four trillion dollars; and

WHEREAS, attempts to limit spending, including the impoundment of funds by the President of the United States, have resulted in strenuous assertions that the responsibility for appropriations is the constitutional duty of the Congress; and

WHEREAS, the annual federal budget repeatedly demonstrates the unwillingness or inability of both the legislative and executive branches of the federal government to curtail spending to conform to available revenues; and

WHEREAS, the unified budget does not reflect actual spending because of the exclusion of special outlays which are not in the budget; and

WHEREAS, knowledgeable planning and fiscal prudence require that the budget reflect all federal spending and that the budget be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level is one of the greatest economic threats that faces our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to reverse this trend; and

WHEREAS, under Article V of the Constitution of the United States, amendments to the US Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states the Congress shall call a constitutional convention for the purpose of proposing amendments; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Congress of the United States of America is hereby petitioned to adopt an amendment to the Constitution of the United States, for submission to the states for ratification, requiring, with certain exceptions, that for each fiscal year the president of the United States submit and the Congress of the United States adopt a balanced federal budget; or, in the alternative,

BE IT FURTHER RESOLVED, effective July 1, 2010, that pursuant to Article V of the Constitution of the United States, this general assembly makes application to the Congress of the United States of America to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States, for submission to the states for ratification, requiring, with certain exceptions, that for each fiscal year the president of the United States submit and the Congress of the United States adopt a balanced federal budget.

BE IT FURTHER RESOLVED, that if Congress adopts, within 90 days after the legislatures of two-thirds of the states have made application for such convention, an amendment to the Constitution of the United States similar in subject matter to that contained in this resolution, then this application for a convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED, that this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to the aforementioned specific and exclusive purpose.

BE IT FURTHER RESOLVED, that this application shall be deemed null and void, rescinded, and of no effect in the event the US Supreme Court rules that a convention cannot be limited to the subject stated in 34 such applications.

BE IT FURTHER RESOLVED, that this application by this general assembly constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made application for a similar convention pursuant to Article V or the Congress has proposed an amendment to the Constitution of the United States similar in subject matter to that contained in this Joint Resolution.

BE IT FURTHER RESOLVED, that certified copies of this Joint Resolution be transmitted by the Secretary of State to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of this state's delegation to the Congress and to the presiding officer of each house of each state legislature in the United States.